

BALL JANIK LLP

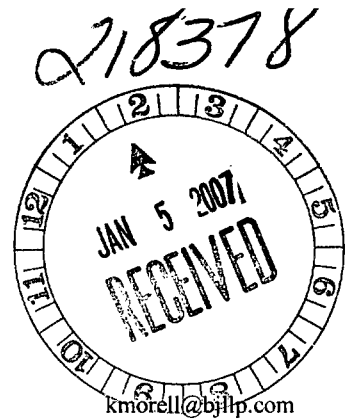
A T T O R N E Y S

1455 F STREET, NW, SUITE 225
WASHINGTON, D.C. 20005

www.balljanik.com

TELEPHONE 202-638-3307
FACSIMILE 202-783-6947

KARL MORELL



January 5, 2007

Victoria Rutson
Chief
Section of Environmental Analysis
Surface Transportation Board
1925 K Street, N.W. - Room 504
Washington, DC 20423

ENTERED
Office of Proceedings

JAN 5 2007

**Part of
Public Record**

Re: STB Docket No. AB-1000X, Georgia Southwestern Railroad, Inc. --
Abandonment Exemption -- In Barbour County, Alabama

Dear Ms. Rutson:

On November 28, 2006, we submitted to your office copies of the Environmental and Historic Reports in the above-captioned matter. On December 14, 2006, we submitted to your office copies of the responses we received from the U.S. Fish and Wildlife Service, the U.S. Army Corps of Engineers, the Alabama Department of Environmental Management and the Natural Resources Conservation Service.

Attached please find the ten (10) copies of the additional responses we received from the Alabama Historical Commission and the Alabama Department of Environmental Management.

Sincerely,



Karl Morell

Enclosures

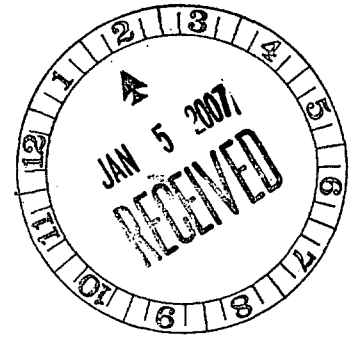


STATE OF ALABAMA
ALABAMA HISTORICAL COMMISSION

468 SOUTH PERRY STREET
MONTGOMERY, ALABAMA 36130-0900

December 13, 2006

COLONEL (RET.) JOHN A. NEUBAUER
EXECUTIVE DIRECTOR



TEL: 334-242-3184
FAX: 334-240-3477

Mr. Karl Morell
Ball Janik, LLP
1455 F St., NW Suite 225
Washington, DC 20005

Re: AHC 07-0225
Docket #AB-1000
Line Abandonment, George Southern RR
Barbour County, AL

Dear Mr. Morell:

Upon review of the above referenced project, we have determined that the project activities will have no effect on any known cultural resources listed on or eligible for the National Register of Historic Places. Therefore, we can concur with the proposed project activities.

However, should artifacts or archaeological features be encountered during project activities, work shall cease and our office shall be consulted immediately. Artifacts are objects made, used or modified by humans. They include but are not excluded to arrowheads, broken pieces of pottery or glass, stone implements, metal fasteners or tools, etc. Archaeological features are stains in the soil that indicate disturbance by human activity. Some examples are post holes, building foundations, trash pits and even human burials. This stipulation shall be placed on the construction plans to insure contractors are aware of it.

We appreciate your commitment to helping us preserve Alabama's non-renewable resources. Should you have any questions, please contact Amanda Hill of this office and include the AHC tracking number referenced above.

Sincerely,

Colonel (Ret.) John A. Neubauer
State Historic Preservation Officer

ADEM



ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

POST OFFICE BOX 301463 36130-1463 ♦ 1400 COLISEUM BLVD. 36110-2059

MONTGOMERY, ALABAMA

WWW.ADEM.STATE.AL.US

(334) 271-7700

ONIS "TREY" GLENN, III, P.E.

DIRECTOR

BOB RILEY

GOVERNOR

December 8, 2006

KARL MORELL
BALL JANIK LLP
1455 F STREET NW SUITE 225
WASHINGTON DC 20005

Facsimiles: (334)

Administration: 271-7950
General Counsel: 394-4332
Communication: 394-4383
Air: 279-3044
Land: 279-3050
Water: 279-3051
Groundwater: 270-5631
Field Operations: 272-8131
Laboratory: 277-6718
Mining: 394-4326

RE: STB Docket No. AB-1000X, Georgia Southwestern Railroad, Inc.
Abandonment Exemption
Barbour County (005)

Dear Mr. Morell:

The Department's Field Operations Division (FOD) has reviewed the information you sent us regarding the above-referenced project. You had requested that we review this information and provide comments.

Attached, please find a copy of FOD's proposed project/activity review information that can also be viewed on the ADEM webpage at <http://www.adem.state.al.us/FieldOps/Permitting/ConstructionProject.pdf>

I hope this information is useful. If you have any questions or need additional information, please contact **Gerald Martin, Construction Unit, Mining & Nonpoint Source Section** by email at gfm@adem.state.al.us or by phone at (334) 394-4317.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jennifer Klepac".

Jennifer Klepac
Construction Unit
Mining & Nonpoint Source Section
Field Operations Division

JLK/gfm

File: PREV

Enclosure: Proposed Project/Activity Review Information
Copy of Review Request Letter
Construction Stormwater NOR

Birmingham Branch
110 Vulcan Road
Birmingham, Alabama 35209-4702
(205) 942-6168
(205) 941-1603 [Fax]

Decatur Branch
2715 Sandlin Road, S.W.
Decatur, Alabama 35603-1333
(256) 353-1713
(256) 340-9359 [Fax]

Mobile Branch
2204 Perimeter Road
Mobile, Alabama 36615-1131
(251) 450-3400
(251) 479-2593 [Fax]

Mobile - Coastal
4171 Commanders Drive
Mobile, Alabama 36615-1421
(251) 432-6533
(251) 432-6598 [Fax]



Printed on Recycled Paper

ADEM FIELD OPERATIONS DIVISION

PROPOSED PROJECT/ACTIVITY REVIEW INFORMATION

The Field Operations Division has received and evaluated the information you sent us regarding the above-referenced project. You had requested that we review this information and provide comments.

Please note that State law and ADEM regulations require that appropriate, effective Best Management Practices (BMPs) for the control of pollutants in stormwater run-off be fully implemented and maintained as needed for all construction and land disturbance activities regardless of permit status or size of the disturbance to prevent/minimize discharges of sediment and other pollutants to waters of the State of Alabama.

A "water of the state" is broadly defined as [§ 22-22-1(b)(2), Code of Alabama 1975, as amended] "All waters of any river, stream, watercourse, pond, lake, coastal, ground, or surface water, wholly or partially within the state, natural or artificial. This does not include waters which are entirely confined and retained completely upon the property of a single individual, partnership, or corporation unless such waters are used in interstate commerce." Discharges of pollutants resulting from failure to implement and maintain effective BMPs are considered unpermitted discharges to state waters.

Please be advised that pursuant to EPA rules and ADEM Admin. Code Ch. 335-6-12, the operator/owner or applicant is required to register for and maintain valid National Pollutant Discharge Elimination System (NPDES) coverage for stormwater discharges prior to beginning construction or regulated land disturbance that will equal or exceed one (1) acre in size. The regulations also require NPDES registration for disturbance activities less than one (1) acre that are part of, adjacent to, or associated with a larger common plan of development or sale, that may eventually equal or exceed one (1) acre, or if less than one (1) acre in size if stormwater discharges have reasonable potential to be a significant contributor of pollutants to a water of the State or have reasonable potential to cause or contribute to a violation of applicable Alabama water quality standards as determined by the Department, and/or conducting any noncoal, nonmetallic mining and mineral dry processing activity less than five (5) acres in size. The regulated construction disturbance also includes, but is not limited to, associated areas utilized for support activities such as vehicle parking, equipment or supply storage areas, material stockpiles, temporary office areas, and access roads, and pre-construction activities performed in advance or in support of construction such as logging, clearing, and dewatering. Please be advised that a registrant, operator/owner, contractor, or other responsible entity, separately or collectively, must retain NPDES registration coverage until all disturbance activity, including phased construction, is complete.

Additional ADEM air, land, and/or water permits for discharges and regulated impacts resulting from the operation of the completed facility may be required.

Effective Best Management Practices (BMPs), as provided in the *Alabama Handbook For Erosion Control, Sediment Control, And Stormwater Management On Construction Sites And Urban Areas*, as amended, Alabama Soil and Water Conservation Committee (ASWCC), for prevention and control of nonpoint sources of pollutants must be implemented prior to, during, and after project implementation. Immediately after completion of the project, effective measures to ensure permanent revegetation, cover, and/or effective stormwater quality remediation must be implemented and maintained. The rules require that a Construction Best Management Practices Plan (CBMPP) to reduce pollutant discharges to the maximum extent practicable be prepared by a qualified credentialed professional (QCP) [ADEM Admin Code Rule 335-6-12-.02(r)], and retained onsite. Information regarding construction and small noncoal, nonmetallic mining and mineral dry processing sites (ADEM Admin. Code Ch. 335-6-12, forms, and other helpful information) is available on the ADEM WebPage at www.adem.state.al.us/FieldOps/Permitting/Construction/Construction.htm

Tennessee River Watershed - In order to determine whether this project should be covered under an existing CWA Section 404, Nationwide, or General Permit, or Letter of Permission, you should contact the U. S. Army Corps of Engineers, Nashville District by mail at PO Box 1070, Nashville, TN 37202-1070 or by phone at (615) 736-5181. Facilities covered under a U.S. Army Corps of Engineers Individual 404 Permit, Nationwide or General Permit, or Letter of Permission must register for NPDES stormwater coverage from ADEM, if construction or land disturbance above the Ordinary High Water Mark, or any non-dredge/fill operations below the Ordinary High Water Mark and associated

upland dredge disposal sites that will equal or exceed one (1) acre or that are part of a larger common plan of development or sale in which disturbed acreage will eventually equal or exceed (1) acre.

All Other Alabama Watersheds - In order to determine whether this project should be covered under an existing CWA Section 404, Nationwide, or General Permit, or Letter of Permission, you should contact the U.S. Army Corps of Engineers, Mobile District by mail at PO Box 2288, Mobile, AL 36628-0001 or by phone at (251) 690-2658. Facilities covered under a U.S. Army Corps of Engineers Individual 404 Permit, Nationwide or General Permit, or Letter of Permission must register for NPDES stormwater coverage from ADEM, if construction or land disturbance above the Ordinary High Water Mark, or any non-dredge/fill operations below the Ordinary High Water Mark and associated upland dredge disposal sites that will equal or exceed one (1) acre or that are part of a larger common plan of development or sale in which disturbed acreage will eventually equal or exceed (1) acre.

ADEM's Coastal Program manages uses and activities having the potential to significantly impact the coastal portions of Alabama and/or its resources. The Coastal Area is comprised of only a portion of Mobile and Baldwin counties and is defined as the lands and waters seaward of the continuous ten-foot contour. ADEM issues Coastal Programs Non-Regulated Use Permits for commercial and residential developments greater than 5 acres in size, construction on Gulf-fronting properties intersected by the Construction Control Line, and groundwater wells that exceed 50 gallons per minute of water withdrawal. ADEM also must certify that permits issued by federal and state agencies, and projects conducted by those agencies, are consistent with the Coastal Program. ADEM accomplishes this by reviewing applications for permits submitted to other agencies. Therefore, it is recommended that applicants having development plans, or even considering development in the Coastal Area, consult with ADEM Coastal Program staff as soon as possible in the project development stage so that the applicant can learn of applicable requirements. Questions involving projects in the coastal area should be directed to the ADEM Coastal Office in Mobile.

You may also wish to contact: (1) the U.S. Fish & Wildlife Service and the Alabama Department of Conservation & Natural Resources. These are the Federal and State agencies, respectively, that have primacy and statutory authority to address potential impacts to endangered or threatened species, (2) the Office Of Water Resources, Alabama Department of Economic and Community Affairs, which is the State agency with primacy and statutory authority to address potential water quantity concerns or issues, (3) the State Fire Marshall and the Alabama Department of Industrial Relations which are the State agencies with primacy and statutory authority to address potential safety considerations regarding blasting, (4) the Alabama Department of Industrial Relations which requires permit coverage and reclamation bonding for most non-coal mining sites, (5) the Alabama Historical Commission which is the State agency with primacy and statutory authority to address preservation or potential impacts to surrounding or onsite historical or archaeological sites, (6) your local county health department for issues related to onsite sewage management, and (7) your local municipal or county government, or local zoning and planning agency, if applicable, for additional approvals that may apply to your project.

In recognition that projects are site specific in nature and conditions can change during project implementation, the Department reserves the right to require the submission of additional information or require additional management measures to be implemented, as necessary on a case by case basis, in order to ensure the protection of water quality. Responsibility for compliance with ADEM rules and permit requirements are not delegable by contract or otherwise. The operator/owner must ensure that any agent, contractor, subcontractor, or other person employed by, under contract, or paid a salary by the operator/owner ensures compliance. Any violations resulting from the actions of such person may subject the operator/owner to enforcement action.

ADEM permitting decisions are predicated on current regulatory requirements, established engineering standards and technical considerations, best management practices information, and formal administrative procedures in conformance with Departmental regulations and applicable Alabama law. Issuance of permit coverage by ADEM neither precludes nor negates an operator/owner's responsibility or liability to apply for, obtain, or comply with other ADEM, federal, state, or local government permits, certifications, licenses, or other approvals. ADEM permit coverage does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to persons or property or invasion of other private rights, trespass, or any infringement of Federal, State, or local laws or regulations.

ADEM FOD Construction Stormwater Service Areas



**Montgomery Central Office
Construction Unit
mnps@adem.state.al.us
(334) 394-4311**

BALL JANIK LLP

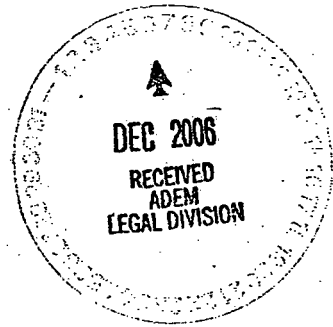
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TELEPHONE 202-638-3307

FACSIMILE 202-783-6947



KARL MORELL

kmorell@dc.bjllp.com

November 28, 2006

Alabama Department of Environmental Management
1400 Coliseum Boulevard
Montgomery, AL 36110

**RE: STB Docket No. AB-1000X, Georgia Southwestern Railroad, Inc. –
Abandonment Exemption – In Barbour County, Alabama**

Dear Sir/Madam:

On or shortly after December 18, 2006, Georgia Southwestern Railroad, Inc. ("GSWR") will be filing with the Surface Transportation Board ("STB") a Petition for Exemption seeking authority to abandon the 4.54-mile rail line located between milepost H-334.46, at Eufaula, and milepost H-339.00, near Eufaula, in Barbour County, Alabama (the "Line"). Attached are an Environmental Report and Historic Report describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

We are providing these reports so that you may review the information that will form the basis for the STB's independent environmental and historic analyses of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB's environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 1925 K Street, N.W., Washington, DC 20423-0001, Telephone (202) 565-1545, and refer to the above Docket No. AB-1000X. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to SEA (with a copy to the undersigned) would be appreciated within 3 weeks.

November 28, 2006

Page 2

Your comments will be considered by the STB in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, please contact the undersigned by telephone at (202) 638-3307 or by mail at Ball Janik LLP, 1455 F Street, N.W., Suite 225, Washington, DC 20005.

Sincerely,

A handwritten signature in cursive script, reading "Karl Morell".

Karl Morell
Attorney for Georgia Southwestern
Railroad, Inc.

Enclosures

**ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (ADEM)
FIELD OPERATIONS DIVISION NPDES STORMWATER PROGRAM**

NOTICE OF REGISTRATION (NOR)

**THIS FORM IS TO BE USED FOR ADEM ADMINISTRATIVE CODE CHAPTER 335-6-12 - NPDES CONSTRUCTION,
NONCOAL/NONMETALLIC MINING AND DRY PROCESSING LESS THAN FIVE ACRES, OTHER LAND
DISTURBANCE ACTIVITIES, AND AREAS ASSOCIATED WITH THESE ACTIVITIES**

PLEASE READ THE INSTRUCTIONS BEGINNING ON PAGE 3 OF THIS FORM CAREFULLY BEFORE COMPLETING. COMPLETE ALL QUESTIONS. RESPOND WITH "N/A" AS APPROPRIATE. INCOMPLETE OR INCORRECT ANSWERS, OR MISSING SIGNATURES WILL DELAY ACCEPTANCE OF REGISTRATION. IF SPACE IS INSUFFICIENT, CONTINUE ON AN ATTACHED SHEET(S) AS NECESSARY. ATTACH CBMPP AND OTHER INFORMATION AS NEEDED. PLEASE TYPE OR PRINT LEGIBLY IN INK.

I. REGISTRANT INFORMATION Registration: ☐ Modification: ☐ Transfer: ☐ Re-Registration: ☐ AL _____

Registrant Name		Facility/Site Name		# of Years Coverage Requested:
Responsible Owner/Operator or Official, and Title			Site Contact and Title	
Mailing Address of Registrant			Site Street Address or Location Description	
City	State	Zip	City	State Zip
Business Phone Number		Site Phone Number		Fax Number
Responsible Official (RO) Street/Physical Address			RO Phone Number	Email Address
(If applicable) Registered Agent Name, Address, & Phone Number				

II. LEGAL STRUCTURE OF REGISTRANT

☐ Corporation ☐ Individual ☐ Single Proprietorship ☐ Partnership ☐ LLC ☐ LLP ☐ Government Agency ☐ Other _____
☐ Yes ☐ No If not an Individual or Single Proprietorship, registrant is properly registered and in good standing with the Alabama Secretary of State's office. If "No", please explain:

III. ACTIVITY DESCRIPTION & INFORMATION

County(s) _____ Township(s), Range(s), Section(s) _____
Directions To Site _____
Yes No Is/will this facility:
(a) ☐ ☐ an existing site which currently discharges to State waters? (b) ☐ ☐ discharge to waters of or be located in the Coastal Zone?
(c) ☐ ☐ a proposed site which will result in a discharge to State waters? (d) ☐ ☐ be located on Indian/ historically significant lands?

IV. PROPOSED SCHEDULE - Used to determine potential registration duration & applicable fee amount, considering responses to Item VIII.

Anticipated Activity schedule: Commencement date: _____ Completion date: _____
Area of the Registered site: Total site area in acres: _____ Total disturbed area in acres: _____

V. VIOLATION HISTORY

Identify every Notice of Violation (NOV), Administrative Order, Directive, or Litigation filed by ADEM or EPA during the three year (36 months) period preceding the date on which this form is signed issued to the operator, owner, registrant, partner, parent corporation, subsidiary, LLP, or LLC Member. Indicate the date of issuance, briefly describe alleged violations, list actions (if any) to abate alleged violations, and indicate date of final resolution:

VI. MAP SUBMITTAL

☐ Yes ☐ No A 7.5 minute series USGS topographic map(s) or equivalent map(s) is attached according to the instructions beginning on Page 3. If "No", explain:

VII. PROPOSED ACTIVITY(S) TO BE CONDUCTED

If Non-Coal, Non-Metallic Mining, Recovery, or Construction Material Management Site: ☐ Dirt-Chert ☐ Sand-Gravel ☐ Shale-Clay
☐ Crushed-Dimension Stone ☐ Other _____ ☐ Other _____ ☐ Other _____

Primary SIC Code _____ Brief Description Construction, Noncoal Mining, or Materials Management Activity: _____

VIII. RECEIVING WATERS

List name of receiving water(s), latitude & longitude (decimal or deg,min,sec) of location(s) that run-off enters the receiving water, total number of disturbed acres, the total number of drainage acres which will drain through each treatment system or BMP, and the waterbody classification. If receiving water is designated as ONRW and/or Tier 1 waterbody, attach/submit copy of CBMPP.

Receiving Water	Latitude	Longitude	Disturbed Acres	Drainage Acres	Waterbody Classification	ONRW Y or N	TIER 1 Y or N

IX. MODIFICATION & RE-REGISTRATION - CONTINUING EDUCATION & INSPECTION INFORMATION

☐ Yes ☐ No Required inspections/monitoring by QCP/QCI have been performed and records retained. If "No", explain: _____

List name(s) and designation/certification #s of QCPs/QCIs that performed required inspections/monitoring: _____

X. QUALIFIED CREDENTIALLED PROFESSIONAL (QCP) CERTIFICATION

"I certify under penalty of law that a comprehensive Construction Best Management Practices Plan (CBMPP) for the prevention and minimization of all sources of pollution in stormwater and authorized related process wastewater runoff has been prepared under my supervision for this site/activity, and associated regulated areas/activities, utilizing effective BMPs from the Alabama Handbook For Erosion Control, Sediment Control, And Stormwater Management On Construction Sites And Urban Areas, Alabama Soil and Water Conservation Committee, as amended (ASWCC). If the CBMPP is properly implemented and maintained by the registrant, discharges of pollutants in stormwater runoff can reasonably be expected to be effectively minimized to the maximum extent practicable according to the requirements of ADEM Administrative Code Chapter 335-6-12. The CBMPP describes the pollution abatement/prevention management and effective structural & nonstructural BMPs that must be fully implemented and regularly maintained as needed at the registered site in accordance with sound sediment and erosion practices to ensure the protection of water quality."

QCP Designation/Description: _____

Address _____ Registration/Certification _____

Name and Title (type or print) _____ Phone Number _____

Signature _____ Date Signed _____

XI. OPERATOR - RESPONSIBLE OFFICIAL SIGNATURE

Pursuant to ADEM Administrative Code Rule 335-6-6-.09, this NOR must be signed by a Responsible Official of the registrant who is the operator, owner, the sole proprietor of a sole proprietorship, a general/controller member or partner, a ranking elected official or other duly authorized representative for a unit of government; or an executive officer of at least the level of vice-president for a corporation, having overall responsibility and decision making for the site/activity. "I certify under penalty of law that this form, the CBMPP, and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the qualified credentialed professional (QCP) and other person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, correct, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine or imprisonment for knowing violations. I certify that this form has not been altered, and if copied or reproduced, is consistent in format and identical in content to the ADEM approved form. I further certify that the proposed discharges described in this registration have been evaluated for the presence of any non-construction and/or coal/mineral mining stormwater, or process wastewaters have been fully identified."

Name (type or print) _____ Official Title _____

Signature _____ Date Signed _____

*** DISCARD THIS AND FOLLOWING INFORMATION PAGES PRIOR TO SUBMISSION OF NOR ***

Contact ADEM prior to submittal with any questions.

Be advised that you are not authorized to commence regulated activity until a complete and correct NOR is received, including the correct registration fee, and if required, a CBMPP, is received by ADEM.

Alabama Department of Environmental Management (ADEM) - Field Operation Division WebPage: www.adem.state.al.us

Send by Certified Mail, Overnight Mail, or Hand-Deliver NOR, including CBMPP and other attachments if required, and correct registration fee to:

Montgomery MNPS Phone: (334) 394-4311 Fax: (334) 394-4326	PO Box 301463 Montgomery, AL 36130-1463	1400 Coliseum Boulevard Montgomery, AL 36110-2059 Email: mnps@adem.state.al.us
Birmingham Branch Phone: (205) 942-6168 Fax: (205) 941-1603	110 Vulcan Road Birmingham, AL 35209-4702	bhamail@adem.state.al.us
Mobile Branch Phone: (251) 450-3400 Fax: (251) 479-2593	2204 Perimeter Road Mobile, AL 36615-1131	mobilemail@adem.state.al.us
Decatur Branch Phone: (256) 353-1713 Fax: (256) 340-9359	2715 Sandlin Road, S.W. Decatur, AL 35603-1333	decaturmail@adem.state.al.us

1. Review ADEM Administrative Code Chapter 335-6-12.
2. Attach correct registration fee (check or money-order). Registration may be requested for up to five (5) years. Multiply annual fee amount by the number of years for which coverage is being requested to determine the total fee amount due. Responses from Item IV and Item VIII are used when determining potential registration duration and applicable fee amount.
3. Review ADEM Administrative Code Rule 335-6-12-21 for preparation of the required Construction Best Management Practices Plan (CBMPP). Regular inspections must be performed by a QCP or QCI, or by a qualified person under the direct supervision of a QCP, and all appropriate pollution abatement/prevention management and structural & nonstructural BMPs must be fully implemented prior to and concurrent with commencement of regulated activities and regularly maintained as needed for the site/activity, and associated regulated areas/activities, in accordance with good sediment, erosion, and other pollution control practices to ensure the protection of water quality.
4. While registration under ADEM Administrative Code Chapter 335-6-12 allows for noncoal, nonmetallic mining less than five acres in size, registration does not provide permit coverage for mining activities, associated areas, and material management sites described in ADEM Administrative Code Chapter 335-6-9 that at any time exceed 5 un-reclaimed acres. Planned/proposed coal/mineral mining/recovery sites, mining sites greater than 5 acres in size, and material recovery/management sites with wet preparation or mineral beneficiation must apply for and obtain coverage under an NPDES Individual Permit prior to commencement of any land disturbance.
5. Hydraulic mining, mineral dredging, instream or between stream-bank mining, wet preparation, metallic ores mining/recovery, fuels mining, coal mining, or mining disturbances greater than five acres are not authorized under Chapter 335-6-12. Coverage under an Individual NPDES permit must be obtained to conduct these activities.
6. Pursuant to ADEM Administrative Code Rule 335-6-12-30, a comprehensive Spill Prevention Control & Countermeasures (SPCC) Plan must be prepared for onsite fuel/chemical use as part of the CBMPP, retained onsite, and be available for review by the Department upon request. You are not required to submit the SPCC plan unless specifically requested by the Department.
7. NPDES construction stormwater registration coverage is not available for regulated disturbance and discharges of stormwater from landfill development, construction, operation, expansion, and closure. Landfill operators/owners are required to obtain permit coverage from ADEM's Land Division for landfill development, construction, operation, expansion, and closure. Please contact the Department's Land Division at (334) 271-7700 or by email at Landmail@adem.state.al.us for additional information.

8. NPDES General Permit coverage is required for discharges of stormwater from a variety of other industrial facilities/activities associated with construction activities such as asphalt/cement plants, pipeline hydrostatic testing, recycling facilities, etc. Please contact the Department's Water Division at (334) 271-7700 or by email at H2omail@adem.state.al.us for additional information.
9. In recognition that projects are site specific in nature and conditions can change during project implementation, ADEM reserves the right to require the submission of additional information or require additional management measures to be implemented, as necessary on a case-by-case basis, in order to ensure the protection of water quality.

Item I – Registrant Information

Please provide facility/project name which is unique or different from registrant name.

Item II – Legal Structure of Registrant

If the registrant is a company that is not incorporated, please identify registrant as an individual doing business as (dba) the company. For example: John Smith dba Liberty Building Company.

Item III – Activity description & Information

If the response to (c) is "yes" - the project will result in a discharge to coastal waters or is within the Alabama Coastal Area - the operator may be required to apply for and obtain Coastal Zone Management Certification from the Department's Mobile Branch. Please contact the Mobile Branch office listed above.

Item IV – Proposed Schedule – Self-explanatory.

Item V – Violation History – Self-explanatory.

ITEM VI – Map Submittal

Attach to this Registration a 7.5 minute series USGS topographic map(s) or equivalent map(s) no larger than, or folded to a size of 8.5 by 11 inches (several pages may be necessary) of the area extending to at least one-mile beyond property boundaries. The topographic or equivalent map(s) must include a caption indicating the name of the topographic map, name of the registrant, site name, county, and township, range, & section(s) where the facility is located. Unless approved in advance by ADEM, the topographic or equivalent map(s), at a minimum, must show:

- | | | |
|--|--|--------------------------------------|
| (a) an outline of legal boundary of entire property | (b) an outline of the facility | (c) owners/lease or other boundaries |
| (d) all existing & proposed disturbed areas | (e) location of discharge areas | (f) buildings and structures |
| (g) perennial, intermittent, & ephemeral streams | (h) hydro-geologic testing locations | (i) all proposed structures |
| (j) all known facility dirt/improved access/haul roads | (k) lakes/springs/wells/wetlands | (l) drainage patterns/swales/washes |
| (m) contour lines, township-range-section lines | (n) proposed and existing discharge points | |
| (o) all surrounding unimproved/improved roads | (p) high tension power lines & railroad tracks | |

Item VII – Proposed Activity To Be Conducted

List the federal Standard Industrial Code (SIC) for the project. Describe purpose or ultimate result of project, i.e. highway, subdivision, industrial park, shopping center, pipeline, golf course, etc.

Item VIII – Receiving Waters

List the exact name of the receiving stream(s) as found on the USGS or TVA topographic map. You may use "UT" to designate unnamed tributary of a named creek. List the Latitude & Longitude in degrees, minutes, & seconds of the point where pollutants enter the receiving waters.

Item IX – Modification & Re-Registration – Continuing Education & Inspection Information – Self-explanatory.

Item X – Qualified Credentialed Professional Certification – Self-explanatory.

Item XI – Responsible Official Signature

Please submit the completed NOR with original signatures of a responsible corporate official (RCO) according to ADEM Administrative Code Rule 335-6-6-.09.